

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELWARE**

**SHIRE DEVELOPMENT LLC,
SHIRE CANADA INC.,
SHIRE INTERNATIONAL LICENSING
B.V., and
SHIRE LLC,**

Plaintiffs,

v.

ALKEM LABORATORIES LTD.,

Defendant.

Civil Action No. 1:16-cv-00747-LPS-CJB

[PROPOSED] CONSENT DECREE AND STIPULATION OF DISMISSAL

Plaintiffs Shire Development LLC, Shire Canada Inc., Shire International Licensing B.V., and Shire LLC (collectively, “Shire”) and Defendant Alkem Laboratories Ltd. (“Alkem”), by and through their respective counsel, have agreed, subject to the approval of the Court, to the following:

1. In this infringement action, final judgment and a factual finding is hereby entered that Alkem’s oral pharmaceutical lanthanum carbonate powder products, 750 mg and 1000 mg (EQ 750 mg and EQ 1000 mg lanthanum base), solely as described in Alkem’s Abbreviated New Drug Application No. 209163 on January 13, 2017, do not infringe United States Patent Nos. 5,968,976, 7,465,465, 8,980,327, and 9,023,397.
2. All other claims and counter-claims asserted in this action are dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).
3. This consent judgment does not constitute a judgment that any claim of any of the asserted patents is invalid or unenforceable.

4. All parties shall bear their own costs and attorneys' fees.

IT IS SO STIPULATED.

Dated: March 17, 2017

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/s/ Curt Lambert

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Dated: March 17, 2017

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*Attorneys for Defendant
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SO ORDERED

Dated: _____

THE HON. LEONARD P. STARK
UNITED STATES DISTRICT JUDGE